

IN RE: PETITION FOR ADMIN. VARIANCE  
W/S Southern Cross Drive, at  
SW/Corner of Parsons Avenue  
(3944 Southern Cross Drive)  
3rd Election District  
2nd Councilmanic District

Fred Hawkes  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 97-47-A

\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 3944 Southern Cross Drive, located in the vicinity of Liberty Road in Randallstown. The Petition was filed by the owner of the property, Fred Hawkes. The Petitioner seeks relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations and Section 1-1.3B of the Zoning Commissioner's Policy Manual to permit a side street setback of 10 feet in lieu of the required 25 feet for a proposed two-story addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. There being no requests for public hearing, a decision shall be rendered based upon the documentation presented. Based upon the information available, there is no evidence in the file to indicate that the relief requested would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Fur-

ORDER RECEIVED FOR FILING

Date

By

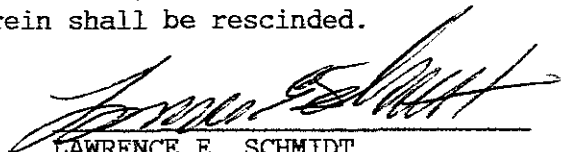
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thermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of September, 1996 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations and Section 1-1.3B of the Zoning Commissioner's Policy Manual to permit a side street setback of 10 feet in lieu of the required 25 feet for a proposed two-story addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING  
9/19/96  
[Signature]

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Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

September 9, 1996

Mr. Fred Hawkes  
3944 Southern Cross Drive  
Baltimore, Maryland 21207

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
W/S Southern Cross Drive, at SW/Corner of Parsons Avenue  
(3944 Southern Cross Drive)  
3rd Election District - 2nd Councilmanic District  
Fred Hawkes - Petitioner  
Case No. 97-47-A

Dear Mr. Hawkes:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: People's Counsel

File

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# Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

97-47-A

3944 Southern Cross DR

which is presently zoned

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 B02.3C1 (Chas. 1) § 1-1.3B

(Policy Manual) To Allow 10ft NLIW of Required  
25ft side street set back in a DR SS ZONE

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE REVERSE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

Legal Owner(s)

(Type or Print Name)

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner

(Type or Print Name)

Address

Phone No

Signature

City

State

Zipcode

Address

Phone No

City

State

Zipcode

Name

3944

Southern

Cross Drive

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

Printed with Soybean Ink  
on Recycled Paper

ITEM #: 55.

ESTIMATED POSTING DATE: \_\_\_\_\_

ORDER RECEIVED FOR FILING

Date

by

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3944 Southern Cross DR  
address  
BALTO. MD 21207  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

I NEED TO BUILD A ROOM ADDITION TO MY HOME. MY MOTHER

HAS RECENTLY COME TO LIVE WITH ME BECAUSE SHE CAN NO

LONGER LIVE ALONE. I DO NOT CURRENTLY HAVE THE ROOM

SHE NEEDS TO BE COMFORTABLE IN MY HOME. I AM UNABLE

TO BUILD ON THE REAR OF THE HOUSE BECAUSE THERE IS

NOT ENOUGH YARD SPACE DUE TO A TREE AND POOL. I AM

UNABLE TO BUILD ON THE EAST SIDE DUE TO THE LOCATION OF

THE BATHROOM AND THE TWO EXISTING ELECTRICAL METERS & BEDROOMS.  
ON THE WEST SIDE (PER LAID OUT OF HOUSE)

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Fred Hawkes  
(signature)  
FRED Hawkes  
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18th day of JULY, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Fred Hawkes

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

7-12-96  
date

Debra Ann Bailey  
NOTARY PUBLIC

My Commission Expires:

9-1-99

JUNE 21, 1997

ZONING DESCRIPTION

97-47-A

ZONING DESCRIPTION FOR 3944 SOUTHERN CROSS DRIVE, BALTIMORE, MARYLAND 21207. BEGINNING AT A POINT ON THE WEST SIDE OF SOUTHERN CROSS DRIVE WHICH IS 50 FEET WIDE AT THE DISTANCE OF 25 FEET SOUTH OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET PARSON AVE. WHICH IS 50 FEET WIDE. BEING LOT # 3, BLOCK F, SECTION # 6 IN THE SUBDIVISION OF CAMPFIELD GARDENS AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 22, FOLIO # 74, CONTAINING 10,902 SQUARE FEET. ALSO KNOWN AS 3944 SOUTHERN CROSS DRIVE IN THE 3RD ELECTION DISTRICT, 2ND COUNCILMANIC DISTRICT.

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55

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

97-47-A

District 3rd Date of Posting 9-19-96  
Posted for: Adm. Variance  
Petitioner: Hawkes  
Location of property: 3944 Southern Cross Drive  
Location of Sign: Side yard of 3944  
Southern Cross Drive  
Remarks: \_\_\_\_\_  
Posted by Joe Schrack Date of return: \_\_\_\_\_  
Number of Signs: 1

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

**NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.**

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 55 Petitioner: FRED HAWKES  
Location: 3944 Southern Cross Drive

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Fred Hawkes

ADDRESS: 3944 Southern Cross Drive  
Baltimore Maryland 21207

PHONE NUMBER: 653-3277

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 16, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-47-A (Item 55)  
3944 Southern Cross Drive  
W/S Southern Cross at SWC Parsons Avenue and Southern Cross  
3rd Election District - 2nd Councilmanic  
Legal Owner(s): Fred Hawkes

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before August 18, 1996. The closing date (September 3, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: Fred Hawkes

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 29, 1996

Mr. Fred Hawkes  
3944 Southern Cross Drive  
Baltimore, MD 21207

RE: Item No.: 55  
Case No.: 97-47-A  
Petitioner: Fred Hawkes

Dear Mr. Hawkes:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 16, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

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BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF PERMITS & LICENSES  
COUNTY OFFICE BUILDING  
TOWSON, MARYLAND 21204

LICENSE YEAR

Telephone Number \_\_\_\_\_

[illegible]

ISSUANCE OF THIS LICENSE DOES NOT FREE THE LICENSEE FROM COMPLYING WITH THE GAMBLING LAWS AND ANY OTHER LAWS AND REGULATIONS.

\*\*\*\*\* BELOW LINE IS FOR OFFICE USE ONLY \*\*\*\*\*

Reference #	Data Entered	Initials	P&L:ADL1/92
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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: August 23, 1996

FROM: Robert W. Bowling, Chief  
Development Plans Review Division

*RWB/DK*

SUBJECT: Zoning Advisory Committee Meeting  
for August 26, 1996  
Item No. 055

The Development Plans Review Division has reviewed the subject zoning item. The proposed addition shall not interfere with the clear line of sight.

RWB:HJO:jrb

cc: File

ZONE23A

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Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 08/15/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUG. 19, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 33, 55, 58, 60, 63, 64, 65, 66,  
67, 68, 69 AND 71.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: August 22, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 33, 48, (55), 58, 62, 63, 65, 66, 67, and 69

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL

RECEIVED



# BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

*[Signature]*  
DIRECTOR

*[Signature]*  
BUILDINGS ENGINEER



**Maryland Department of Transportation  
State Highway Administration**

David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

8-16-96

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 055 (JRA)


Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for*   
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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# PETITION PROBLEMS

## #33 --- RT

1. Where has this petition been????
2. Only one signature was notarized.

## #55 --- JRA

1. No zoning indicated on petition form.
2. No review information on bottom of petition form.

## #58 --- MJK

1. Need title of person signing for legal owner.
2. Need telephone number of legal owner.

## #60 --- MJK

1. Need telephone number for legal owner.

## #61 --- ????

Where is it??????

## #62 --- JLL

1. Why does special hearing petition form list two legal owners and the variance petition form list only one legal owner.

## #64 --- JLL

1. Need title of person signing for lessee.

## #67 --- JJS

1. Need zoning on petition form - says "Res".

## #70 --- ???

Where is it????

## #71 --- MJK

1. Need telephone number for legal owner.

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August 12, 1996

# SPRINKLER SYSTEM HYDRAULIC ANALYSIS

Page 3

Date: 05/20/1996

C:\HASS60\DATA\TARGET\TS-FSA-1.SDF

JOB TITLE: TARGET STORE GRID SYSTEM NO. 2 FOOD SERVICE AREA

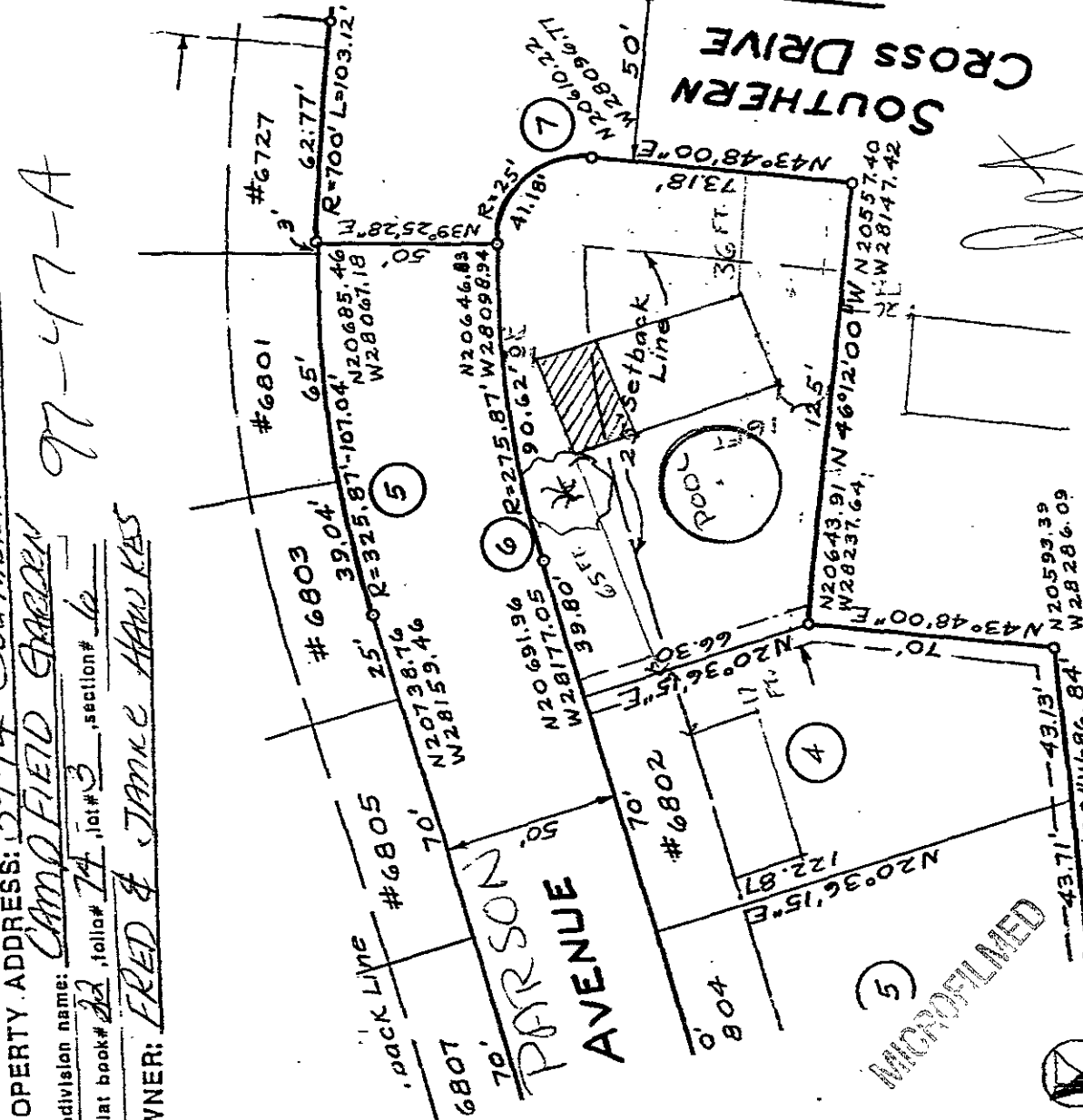
## PIPE DATA

PIPE TAG	END	ELEV.	NOZ.	PT	DISC.	Q(GPM)	DIA(IN)	LENGTH	PRESS.
NODES	(FT)	(K)	(PSI)	(GPM)	VEL(FPS)	HW(C)	F.L./FT	(FT)	SUM.
									(PSI)
Pipe: 200					62.3	1.687	PL	79.19	PF 9.4
200	14.7	0.0	39.9	0.0	8.9	120	FTG	T	PE 0.0
201	14.7	0.0	30.6	0.0		0.105	TL	89.19	PV 0.5
Pipe: 201					62.3	1.687	PL	16.00	PF 1.7
201	14.7	0.0	30.6	0.0	8.9	120	FTG	----	PE 0.0
202	14.7	0.0	28.9	0.0		0.105	TL	16.00	PV 0.5
Pipe: 202					62.3	1.687	PL	16.00	PF 1.7
202	14.7	0.0	28.9	0.0	8.9	120	FTG	----	PE 0.0
203	14.7	0.0	27.2	0.0		0.105	TL	16.00	PV 0.5
Pipe: 203					62.3	1.687	PL	16.00	PF 1.7
203	14.7	0.0	27.2	0.0	8.9	120	FTG	----	PE 0.0
204	14.7	0.0	25.5	0.0		0.105	TL	16.00	PV 0.5
Pipe: 204					62.3	1.687	PL	49.94	PF 5.8
204	14.7	0.0	25.5	0.0	8.9	120	FTG	E	PE 0.0
205	14.7	0.0	19.7	0.0		0.105	TL	54.94	PV 0.5
Pipe: 205					33.1	1.687	PL	33.25	PF 1.6
205	14.7	0.0	19.7	0.0	4.7	120	FTG	ET	PE 0.0
206	14.7	0.0	18.2	0.0		0.033	TL	48.25	PV 0.2
Pipe: 206					29.2	1.687	PL	22.50	PF 1.1
205	14.7	0.0	19.7	0.0	4.2	120	FTG	2T	PE 0.0
207	14.7	0.0	18.6	0.0		0.026	TL	42.50	PV 0.1
Pipe: 207					62.3	3.352	PL	16.00	PF 0.1
208	14.7	0.0	40.0	0.0	2.3	120	FTG	----	PE 0.0
200	14.7	0.0	39.9	0.0		0.004	TL	16.00	PV 0.0
Pipe: 208					59.7	1.687	PL	79.19	PF 8.7
208	14.7	0.0	40.0	0.0	8.6	120	FTG	T	PE 0.0
209	14.7	0.0	31.3	0.0		0.097	TL	89.19	PV 0.5
Pipe: 209					59.7	1.687	PL	16.00	PF 1.6
209	14.7	0.0	31.3	0.0	8.6	120	FTG	----	PE 0.0
210	14.7	0.0	29.8	0.0		0.097	TL	16.00	PV 0.5
Pipe: 210					59.7	1.687	PL	16.00	PF 1.6
210	14.7	0.0	29.8	0.0	8.6	120	FTG	----	PE 0.0
211	14.7	0.0	28.2	0.0		0.097	TL	16.00	PV 0.5
Pipe: 211					59.7	1.687	PL	16.00	PF 1.6
211	14.7	0.0	28.2	0.0	8.6	120	FTG	----	PE 0.0
212	14.7	0.0	26.7	0.0		0.097	TL	16.00	PV 0.5
Pipe: 212					59.7	1.687	PL	46.94	PF 5.1
212	14.7	0.0	26.7	0.0	8.6	120	FTG	E	PE 0.0
214	14.7	0.0	21.6	0.0		0.097	TL	51.94	PV 0.5

# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 3944 SOUTHERN CROSS DR  
 Subdivision name: CAMP FIELD GARDEN  
 plat book # 22, folio # 14, lot # 3, section # 6

OWNER: FRED & JANKE HAWKES



## LOCATION INFORMATION

Election District: 3  
 Councilmanic District: 2  
 1"-200' scale map#: NW 6-E  
 Zoning: DR. 5.5  
 Lot size: 10,902 square feet

Public ☐ Private ☒  
 SEWER: ☒ WATER: ☒  
 Chesapeake Bay Critical Area: ☐  
 Prior Zoning Hearings: NONE

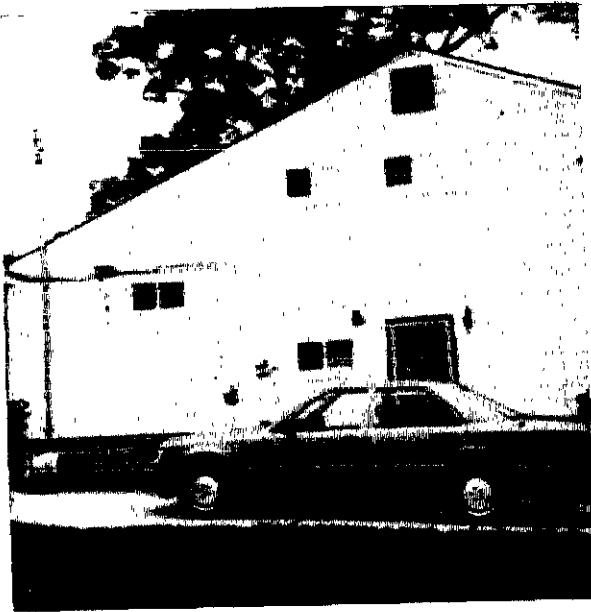
## Zoning Office USE ONLY!

reviewed by: SJD ITEM #: 55 CASE#: 55

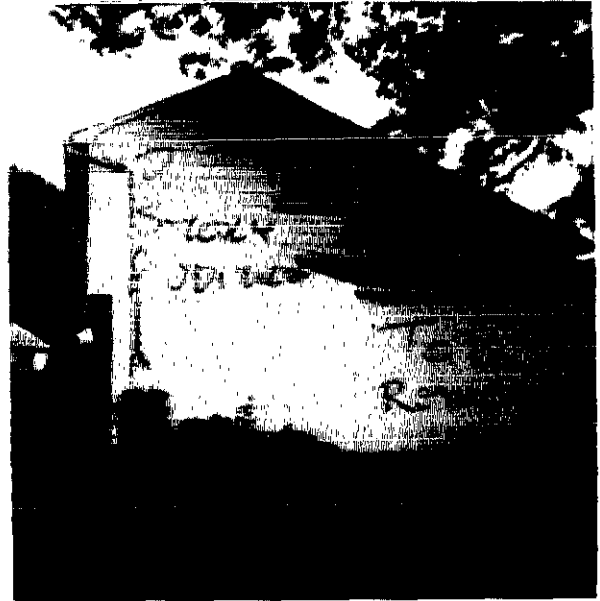
Scale of Drawing: 1" = \_\_\_\_\_

North   
 date: 7/12/96  
 prepared by: \_\_\_\_\_

**RECORDED**



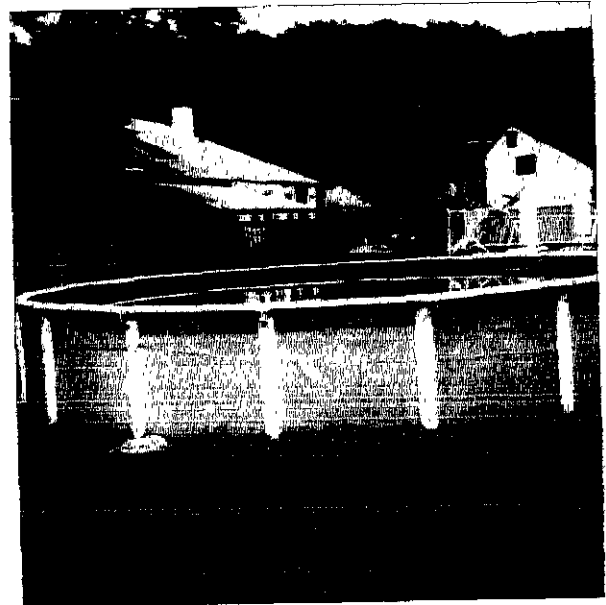
Left Side 55  
OF House



Propose side 55  
FOR Addition



FRONT OF 55  
EXISTING House



Rear yard 55  
OF House

1/10/2011



97-47-A  
55  
BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	SUDBROOK	N.W.
DATE OF PHOTOGRAPHY JANUARY 1986	PARK	6-E
		MICROFILMED



IN RE: PETITION FOR ADMIN. VARIANCE  
W/S Southern Cross Drive, at  
SW/Corner of Parsons Avenue  
(3944 Southern Cross Drive)  
3rd Election District  
2nd Councilmanic District  
Fred Hawkes  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 97-47-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 3944 Southern Cross Drive, located in the vicinity of Liberty Road in Randallstown. The Petition was filed by the owner of the property, Fred Hawkes. The Petitioner seeks relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations and Section 1-1.3B of the Zoning Commissioner's Policy Manual to permit a side street setback of 10 feet in lieu of the required 25 feet for a proposed two-story addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. There being no requests for public hearing, a decision shall be rendered based upon the documentation presented. Based upon the information available, there is no evidence in the file to indicate that the relief requested would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

thermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of September, 1996 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations and Section 1-1.3B of the Zoning Commissioner's Policy Manual to permit a side street setback of 10 feet in lieu of the required 25 feet for a proposed two-story addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

LES:bjs

*Lawrence E. Schmidt*  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

September 9, 1996

Mr. Fred Hawkes  
3944 Southern Cross Drive  
Baltimore, Maryland 21207

RE: PETITION FOR ADMINISTRATIVE VARIANCE  
W/S Southern Cross Drive, at SW/Corner of Parsons Avenue  
(3944 Southern Cross Drive)  
3rd Election District - 2nd Councilmanic District  
Fred Hawkes - Petitioner  
Case No. 97-47-A

Dear Mr. Hawkes:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

*Lawrence E. Schmidt*  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: People's Counsel

file

## Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3944 Southern Cross Dr  
97-47-A  
which is presently zoned

This Petition shall be filed with the Office of Zoning Administration & Development Management.  
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1-202.3C.1 (Case No. 97-47-A) and 1-1.3B (Policy Manual) to allow 10ft side street setback in a DR SS zone.  
25' side street setback in a DR SS zone

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

See Reverse

Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person/Owner	Name of Petitioner	
Type or Print Name	Signature	
Signature	Signature	
Address	Type or Print Name	
City	State	Zip Code
Address for Petitioner	Signature	
Type or Print Name	Signature	
Address	Type or Print Name	
City	State	Zip Code
Address and phone number of representative to be contacted	Signature	
Name	Signature	
Address	Type or Print Name	
City	State	Zip Code

A Public Hearing having been requested and/or held to be required, it is ordered by the Zoning Commissioner of Baltimore County that the subject matter of this petition be set for a public hearing, as required by the Zoning Regulations of Baltimore County, at the time and place indicated below. The hearing shall be held at the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204, on the date and at the time indicated below.

REVIEWED BY: DATE: ESTIMATED POSTING DATE: ITEM # 55

## Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 3944 Southern Cross Dr

Baltimore MD 21207

That based upon personal knowledge, the following are the facts upon which I have the request for an Administrative Variance at the above address: please answer to best of my ability

I NEED TO BUILD A ROOM ADDITION TO MY HOME. MY MOTHER

HAS RECENTLY COME TO LIVE WITH ME BECAUSE SHE CAN NO

LONGER LIVE ALONE. I DO NOT CURRENTLY HAVE THE ROOM

SHE NEEDS TO BE COMFORTABLE IN MY HOME. I AM UNABLE

TO BUILD ON THE REAR OF THE HOUSE BECAUSE THERE IS

NOT ENOUGH YARD SPACE DUE TO A TREE AND POOL. I AM

UNABLE TO BUILD ON THE EAST SIDE DUE TO THE LOCATION OF

THE BATHROOM AND THE TWO EXISTING PLASTERED METERS. (SEE ATTACHED SKETCH)

THE WEST SIDE CRAWL SPACE (SEE ATTACHED SKETCH)

That Affiant(s) acknowledge(s) that if a person is fined, Affiant(s) will be required to pay a reposing and advertising fee and may be required to provide additional information.

*Fred Hawkes*  
Signature  
Fred Hawkes  
Type or Print Name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12th day of July, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

*Fred Hawkes*  
Signature  
Fred Hawkes  
Type or Print Name

AS WITNESS my hand and Notarial Seal.

7-12-96

My Commission Expires: 9-1-99

#### ZONING DESCRIPTION

ZONING DESCRIPTION FOR 3944 SOUTHERN CROSS DRIVE, BALTIMORE, MARYLAND 21207. BEGINNING AT A POINT ON THE WEST SIDE OF SOUTHERN CROSS DRIVE WHICH IS 50 FEET WIDE AT THE DISTANCE OF 25 FEET SOUTH OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET PARSON AVE. WHICH IS 50 FEET WIDE. BEING LOT # 3, BLOCK F, SECTION # 6 IN THE SUBDIVISION OF CAMPFIELD GARDENS AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 22, FOLIO # 74, CONTAINING 10,902 SQUARE FEET. ALSO KNOWN AS 3944 SOUTHERN CROSS DRIVE IN THE 3RD ELECTION DISTRICT, 2ND COUNCILMANIC DISTRICT.

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3rd  
Posted for: Administrative Variance  
Petitioner: Hawkes  
Location of property: 3944 Southern Cross Drive  
Location of Sign: Side yard of 3944 Southern Cross Drive  
Remarks: See sketch  
Posted by: Steve Schuck  
Number of Signs: 1



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 55 Petitioner: FRED HAWKES  
Location: 3944 Southern Cross Drive  
PLEASE FORWARD ADVERTISING BILL TO:  
NAME: Fred Hawkes  
ADDRESS: 3944 Southern Cross Drive  
Baltimore Maryland 21207  
PHONE NUMBER: 653-3277



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 16, 1996

#### NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-47-A (Item 55)  
3944 Southern Cross Drive  
W/S Southern Cross at SW/Corner of Parsons Avenue and Southern Cross  
3rd Election District - 2nd Councilmanic District  
Legal Owner(s): Fred Hawkes

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a rebuttal regarding the administrative process.

- 1) Your property will be posted on or before August 18, 1996. The closing date (September 3, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

*Arnold Jablon*  
Signature

Arnold Jablon  
Director

cc: Fred Hawkes



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 29, 1996

Mr. Fred Hawkes  
3344 Southern Cross Drive  
Baltimore, MD 21207

RE: Item No.: 55  
Case No.: 97-47-A  
Petitioner: Fred Hawkes

Dear Mr. Hawkes:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 16, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management  
FROM: Robert M. Bowling, Chief  
Development Plans Review Division  
SUBJECT: Zoning Advisory Committee Meeting  
for August 26, 1996  
Item No. 055

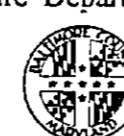
The Development Plans Review Division has reviewed the subject zoning item. The proposed addition shall not interfere with the clear line of sight.

RWB:HJO:jrb

cc: File

ZONE23A

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410)887-4880

DATE: 08/15/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUG. 19, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 33, 55, 58, 60, 63, 64, 65, 66, 67, 68, 69 AND 71.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink  
on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management  
DATE: August 22, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 33, 48, 55, 58, 62, 63, 65, 66, 67, and 69

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey M. Long

Division Chief: Gary L. Kenna

PK/JL

ITEM33/PZONE/ZAC1



Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

8/16/96

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 65 (JSA)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

PETITION PROBLEMS

#33 --- RT

1. Where has this petition been????
2. Only one signature was notarized.

#55 --- JRA

1. No zoning indicated on petition form.
2. No review information on bottom of petition form.

#58 --- MJK

1. Need title of person signing for legal owner.
2. Need telephone number of legal owner.

#60 --- MJK

1. Need telephone number for legal owner.

#61 --- ????

Where is it?????

#62 --- JLL

1. Why does special hearing petition form list two legal owners and the variance petition form list only one legal owner.

#64 --- JLL

1. Need title of person signing for lessee.

#67 --- JJS

1. Need zoning on petition form - says "Res".

#70 --- ???

Where is it????

#71 --- MJK

1. Need telephone number for legal owner.

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 3944 Southern Cross Dr. see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: CAMPFIELD GREEN 77-47-A  
[plat book # 22, folio # 14, lot # 3, section # 6]

OWNER: FRED & JANE HAWKES

North arrow pointing up. Scale of Drawing: 1" = 100'

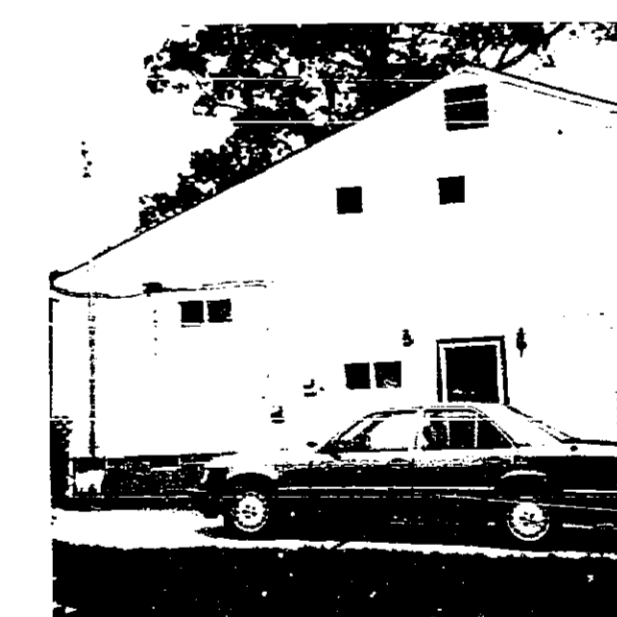
prepared by: [signature]

LOCATION INFORMATION

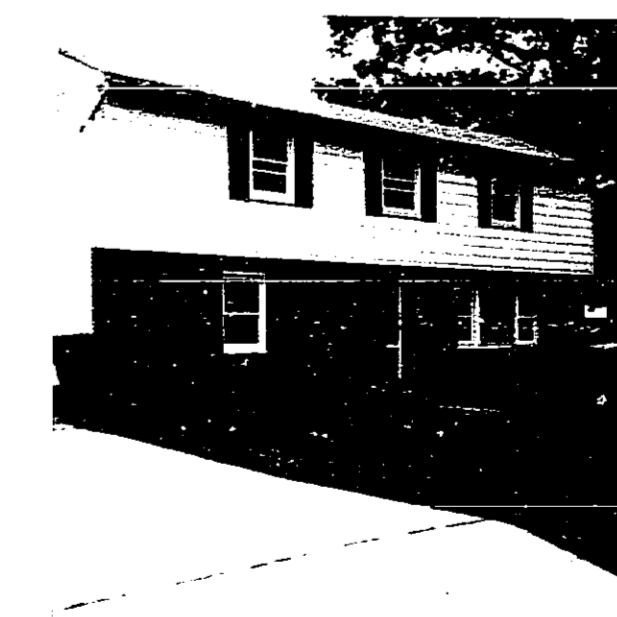
Election District: 3  
Councilmanic District: 2  
Zoning: DR-5.5  
Lot size: 10,902 sq. ft.  
acreage

SEWER: ☐  
WATER: ☐  
Chesapeake Bay Critical Area: ☐  
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!  
reviewed by: [signature] ITEM #: CASE#



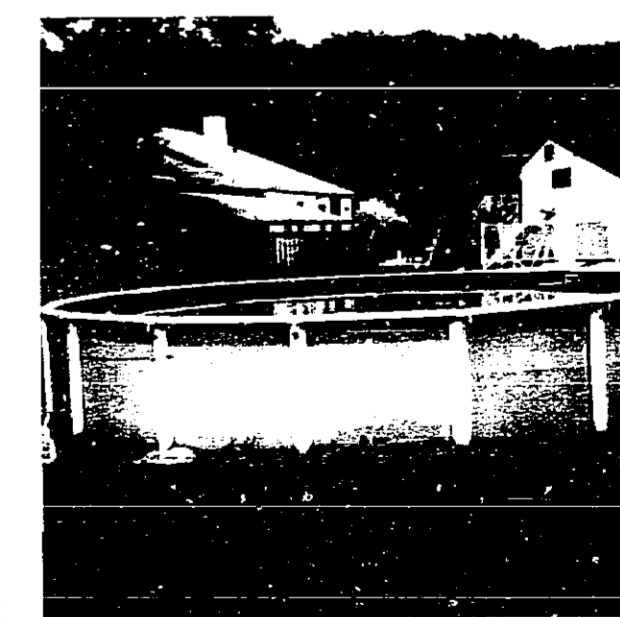
LEFT SIDE OF HOUSE



FRONT OF EXISTING HOUSE



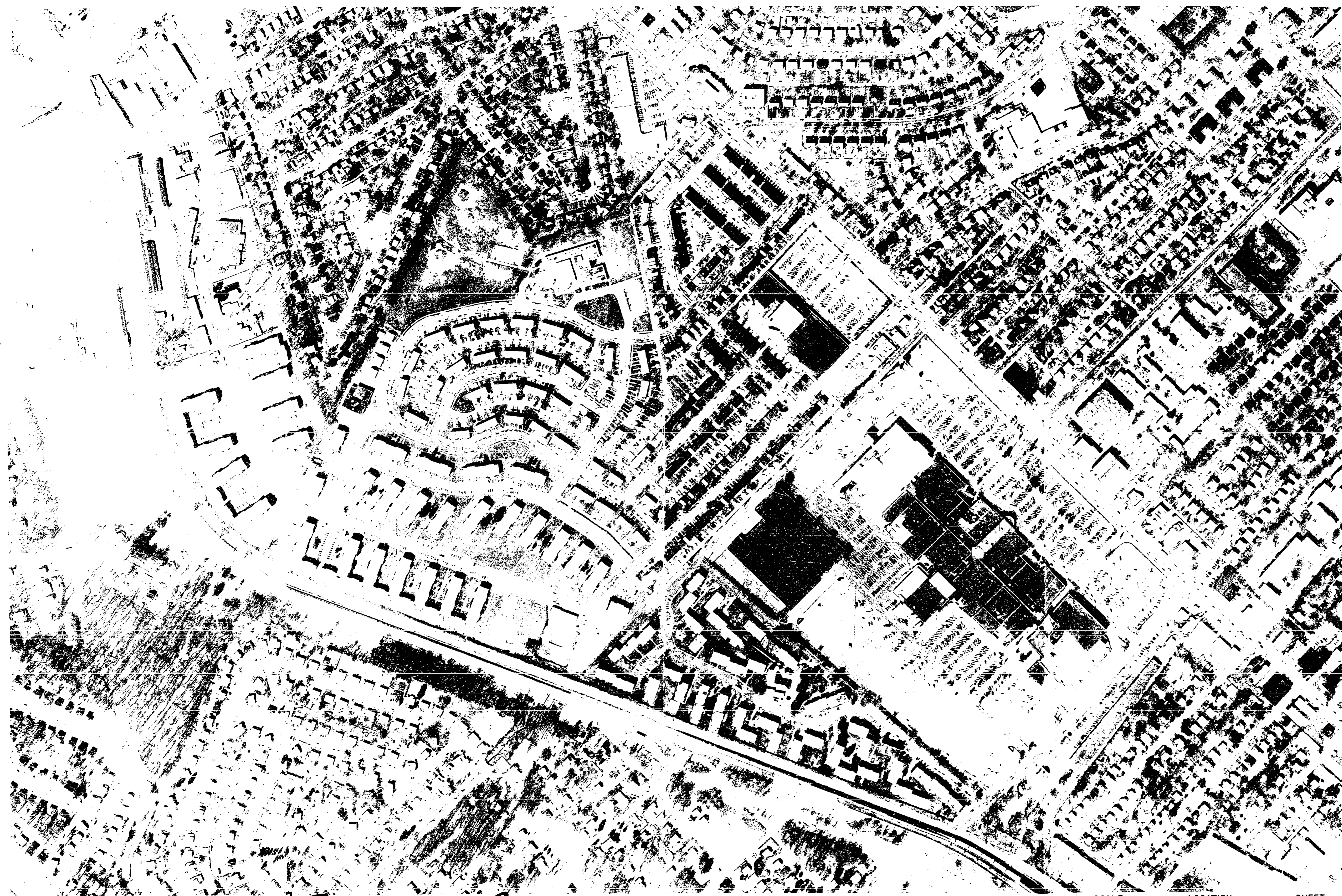
PROPOSED SIDE FOR ADDITION



REAR YARD OF HOUSE

August 12, 1996





97-47-A  
55

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	SUDBROOK	N.W.
DATE OF PHOTOGRAPHY JANUARY 1986	PARK	6-E